

fraud vitiates everything that it permeates and I say that gambling contaminates everything and everybody and every community, whether it is legal gambling or illegal gambling, and I say that in my opinion and as far as my vote goes, I support the recommendation of the Committee to let the ban stay in the Constitution as it has done for almost 150 years.

It would relieve the legislature from being pestered by the gambling industry that wants to muscle in and once they get in, believe me, you will never get them out.

I am for the recommendation of the Committee.

THE CHAIRMAN: Does any other delegate desire to speak in opposition to the recommendation?

*(There was no response.)*

THE CHAIRMAN: Are you ready for the question?

*(Call for the question.)*

The Clerk will ring the quorum bell.

The question arises on the approval of Committee Recommendation SF-2. A vote Aye is a vote in favor of the approval of the recommendation. A vote No is a vote against the recommendation.

Cast your votes.

Has every delegate voted?

Does any delegate desire to change his vote?

The Clerk will record the vote.

Delegate Boyce, is your vote registered?

DELEGATE BOYCE: It is working again, sir.

THE CHAIRMAN: Was your vote recorded?

DELEGATE BOTHE: I am not sure.

THE CHAIRMAN: The chart shows you as not voting.

DELEGATE BOTHE: My vote was negative.

THE CHAIRMAN: It will be so recorded.

There being 75 votes in the affirmative and 53 in the negative, the recommendation is approved.

The next item for consideration is Committee Recommendation SF-3.

Delegate Sherbow.

DELEGATE SHERBOW: Mr. Chairman, the report on State Finance and Taxation, SF-3, will be presented to the Committee of the Whole by its Vice Chairman, Delegate Case.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Mr. Chairman.

THE CHAIRMAN: Delegate Sickles.

DELEGATE SICKLES: I wonder if I could ask the Chairman of the Committee of the Whole to yield for a question. I know it is a bit irregular and a bit out of order, but I can assure you it will take but just a few seconds because I want to clarify something in my own mind about what happened as to SF-2. I have to ask unanimous consent to proceed out of order.

THE CHAIRMAN: State the question.

DELEGATE SICKLES: Earlier, when Delegate Gleason asked Chairman Sherbow a question I had the distinct impression that Delegate Sherbow said for the record that in his opinion the colloquy and comments and questions and answers on the floor perhaps would not have too much effect on the court's decision as they looked to the intention of this body. This may not be exactly what he said. It seems to me that this would be the implication. I do not recall whether you were in the chair or not. At least I feel that I ought to raise the issue so that it would be clarified, because throughout this discussion, at some point some court may be looking to determine what the intent of the Convention was and I think this is important. I ask the Chairman if he does not concur in the fact that what we do say and what the questions are and answers are will have some effect in determining the words that we pass.

THE CHAIRMAN: The question posed by Delegate Sickles is a little difficult for the Chair to answer unless I construe the question in its very narrow sense. The question is that the statements of intent by this Convention would have some influence on a determination of the court as to the meaning of the words used. I think that can undoubtedly be answered in the affirmative but I do not think it is a true answer to the question.

It will, indeed, have some influence, but how much influence is another matter. I think that the two principles which must be borne in mind in considering this question and which any court would undoubtedly keep in mind is that the intent of the